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Human rights questions: implementation of human rights instruments

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the chairpersons of the human rights treaty bodies on their fourteenth meeting, held at Geneva from 24 to 26 June 2002, pursuant to General Assembly resolutions 49/178 of 23 December 1994 and 55/90 of 4 December 2000.

* A/57/50.

** The delay in the submission of this report is due to the fact the meeting of the chairpersons took place at the end of June 2002.

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Report of the chairpersons of the human rights treaty bodies on their fourteenth meeting

Summary

The fourteenth meeting of chairpersons of human rights treaty bodies was convened from 24 to 26 June 2002, pursuant to General Assembly resolution 49/178 of 23 December 1994. The meeting considered the following substantive items of its agenda: follow-up to the recommendations of the thirteenth meeting of chairpersons; review of recent developments relating to the work of the treaty bodies, including the Durban Declaration and Programme of Action, and the United Nations Decade for Human Rights Education 1995-2004; status of the Annual Appeal 2002 of the Office of the United Nations High Commissioner for Human Rights and the 2002-2004 Programme to Support Human Rights Organs and Treaty Bodies; national-level implementation of treaty body recommendations, and in particular cooperation with United Nations departments, specialized agencies, funds and programmes and mechanisms, national human rights institutions and non-governmental organizations; strengthening support to and enhancing the effectiveness of the treaty bodies, including discussions with the members of the Expanded Bureau of the fifty-eighth session of the Commission on Human Rights and the Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights; an informal consultation with States; the fourth joint meeting with the ninth meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory service programme. The chairpersons adopted recommendations, which are contained in the section XII of the present report.

I. Introduction

1. Since the adoption of its resolution 37/44 on 3 December 1982, the General Assembly has continuously kept under review the issue of the effective implementation of international instruments on human rights, including reporting obligations under international instruments. Those matters have also received careful attention during the various sessions of human rights treaty bodies, at some of the meetings of States parties and at meetings of other organs such as the Economic and Social Council and the Commission on Human Rights.

2. The meetings of the chairpersons were convened by the Secretary-General biennially from 1988 to 1994 and, in accordance with General Assembly resolution 49/178 of 23 December 1994, have been convened annually since 1995. In its resolution 55/90 of 4 December 2000, the Assembly welcomed the submission of the reports of the chairpersons of the human rights treaty bodies on their eleventh and twelfth meetings, held at Geneva from 31 May to 4 June 1999 and 5 to 8 June 2000 respectively (A/54/805, annex; and A/55/206, annex) and took note of their conclusions and recommendations. The Assembly encouraged enhanced cooperation and coordination between the treaty bodies, and welcomed the initiative of the chairpersons of inviting representatives of Member States to participate in a dialogue and encouraged them to continue the practice. The Assembly furthermore decided to continue to give priority consideration at its fifty-seventh session to the conclusions and recommendations of the thirteenth and fourteenth meetings of the persons chairing the human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions". The report of the thirteenth meeting of chairpersons, held from 18 to 22 June 2000, was submitted to the General Assembly on 5 February 2002 (A/57/56).

II. Organization of the meeting

3. The fourteenth meeting of chairpersons of the human rights treaty bodies convened by the Secretary-General pursuant to General Assembly resolution 49/178, was held at the United Nations Office at Geneva from 24 to 26 June 2002. The following chairpersons of human rights treaty bodies attended: Charlotte Abaka (Chairperson of the Committee on the Elimination of Discrimination against Women), Virginia Bonoan-Dandan (Chairperson of the Committee on Economic, Social and Cultural Rights), Peter T. Burns (Chairperson of the Committee against Torture), Ion Diaconu (Chairperson of the Committee on the Elimination of Racial Discrimination), and Jakob E. Doek (Chairperson of the Committee on the Rights of the Child). As Prafullachandra N. Bhagwati was not able to attend, Rafael Rivas Posada represented the Chairperson of the Human Rights Committee.

4. Ms. Abaka was elected Chairperson/Rapporteur of the meeting and Mr. Doek was elected Vice-Chairperson. At their opening meeting, the chairpersons adopted the agenda, without modifications. The agenda, as adopted, is contained in annex I to the present report. The list of participants in the meeting is contained in annex II.

5. The United Nations High Commissioner for Human Rights addressed the chairpersons on 24 June 2002.

6. On 24 June, the chairpersons held a meeting with the Expanded Bureau of the Commission on Human Rights at its fifty-eighth session. A meeting was also held with David Weissbrodt, Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights at its fifty-third session.

7. On 25 June, the chairpersons met with representatives of the specialized agencies and non-governmental organizations. Thereafter they held an informal consultation with States parties.

8. On 26 June, the chairpersons held a joint meeting with the mandate-holders of special procedures of the Commission on Human Rights.

9. During the week, the chairpersons were briefed by the Secretariat on the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the activities of the Anti-Discrimination Unit subsequently established within the Office of the United Nations High Commissioner for Human Rights (OHCHR). They were also briefed on the activities of OHCHR in the field of human rights education and activities related to the United Nations Decade for Human Rights Education.

III. Address by the High Commissioner for Human Rights

10. The High Commissioner for Human Rights opened the meeting on 24 June 2002. She stressed the importance of the meeting in providing opportunities for dialogue between the treaty bodies themselves, between the treaty bodies and OHCHR and between the treaty bodies and other actors, particularly international organizations, the Commission on Human Rights and its special procedures, and the Sub-Commission on the Promotion and Protection of Human Rights. The High Commissioner also outlined events and developments since the thirteenth meeting, including the attacks of 11 September, the situation in Israel and the occupied Palestinian territories, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the ratifications of the Rome Statute of the International Criminal Court, the approval of the Draft Optional Protocol to the Convention against Torture by the Commission on Human Rights, and the entry into force of the two optional protocols to the Convention on the Rights of the Child. The High Commissioner also referred to progress towards the global ratification of the human rights treaties and the imminent entry into force of the Migrant Workers Convention.

11. Referring to the continuing efforts to improve the effectiveness of treaty bodies, the High Commissioner noted a number of initiatives of the treaty bodies themselves and of OHCHR. These included the holding of the first Inter-Committee Meeting, the appointment of follow-up rapporteurs by the Human Rights Committee and the Committee against Torture, increased OHCHR attention to enhancing follow-up to the work of the treaty bodies, and the establishment of a Documents Processing Unit within OHCHR aimed at ensuring more timely delivery of documentation. She noted that while resource issues were a constant limit on new initiatives, the level of extrabudgetary funding support for the work of the treaty bodies remained healthy. She reiterated her commitment as well as that of OHCHR to supporting the work of the treaty bodies and to constant efforts to foster the effectiveness of that support.

IV. Follow-up to the recommendations of the thirteenth meeting of chairpersons

12. The chairpersons took note of the report prepared by the Secretariat on follow-up to the recommendations of the thirteenth meeting of chairpersons (HRI/MC/2002/2). The chairpersons noted the decision of the General Assembly in its resolution 56/272 of 27 March 2002 to reduce the honorariums applicable to members of certain subsidiary organs of the United Nations, including the Human Rights Committee, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, to the amount of US$ 1 per year. However, they declined to discuss the matter further and resolved to continue their work as experts in the various treaty bodies.

V. Review of recent developments relating to the work of the treaty bodies

A. Updates on developments within each committee

13. The chairpersons briefed the meeting on recent developments in the work of their respective treaty bodies. The Chairperson of the Committee on the Elimination of Discrimination against Women referred to the Committee's decision to invite States parties with more than one overdue report to combine the outstanding reports in a single document. As a result of discussions during an informal seminar at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law in Lund, Sweden, modifications to the Committee's working methods had been adopted during the twenty-seventh session of the Committee, and an informal meeting of the Committee with States parties had been convened. The Committee had also adopted revised guidelines for the reports of States parties, which would apply to reports submitted after 31 December 2002. The Committee would convene a third exceptional session during 2002 to remove the backlog of reports awaiting review. The Committee's rules of procedure relating to the Optional Protocol had been adopted by the Committee in January 2001. The Committee had also adopted a guide for would-be

petitioners under the Optional Protocol which was available on the web site of the Division for the Advancement of Women.

14. The Chairperson of the Committee on the Elimination of Racial Discrimination noted that problems in reporting persisted among a number of States parties and that the Committee had continued its practice of using other available information when considering States parties that had not submitted a report. The Committee had adopted a recommendation on the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, identifying components of the final texts under the responsibility of the Committee, and had presented it to the Commission on Human Rights at its fifty-eighth session. The Committee had also adopted a statement on terrorism and human rights underlining the need to observe the principle of non-discrimination in counter-terrorism measures.

15. The Committee on the Rights of the Child also had adopted a recommendation which included the possibility of reviewing States parties in the absence of a report. In respect of periodicity, the Committee had adopted a resolution allowing the combining of outstanding reports into a single document. A major innovation was the request to States parties to avoid lengthy reports where possible and to endeavour to keep them below 120 pages in length. The General Assembly had requested that a study be undertaken on violence against children, as recommended by the Committee. The Committee was working to complete general comments on national children's human rights institutions, on HIV/AIDS, and on children and adolescent health. The Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography had entered into force respectively in January and February 2002 and each had been ratified by well over 30 States parties. The amendment to article 43 of the Convention allowing the expansion of the Committee from 10 to 18 members had so far been accepted by 120 of the 128 States parties required for it to become effective.

16. The Committee against Torture faced many of the same problems and had adopted similar responses to those of a number of other committees. It had completed the process of amending its rules of procedure and the setting up of a pre-sessional working group on communications had enabled the Committee to deal with all the communications before it, increasing the sense of stability and continuity in the process. The Committee had also adopted a follow-up mechanism, involving the appointment of a follow-up rapporteur. Furthermore, the Committee had adopted statements on the non-derogability of obligations undertaken by States parties to the Convention during their counter-terrorism efforts, and in support of the optional protocol to the Convention.

17. In the absence of the Chairperson of the Human Rights Committee, the Secretary of the Committee presented an overview of its activities during the reporting period. The Committee had considered 12 initial reports since the previous chairpersons meeting, a low figure owing to the fact that a number of States parties scheduled to report had withdrawn at the last moment. Problems relating to lengthy reports persisted and the Committee intended to consider action in that regard. The follow-up procedure had become fully operative and two States had provided reports under the procedure. Under a new initiative for streamlining the examination of reports, a country report task force of four to six members would be appointed to lead the discussion during examination and focus on follow-up. The Committee was preparing a draft general comment on article 2 of the Covenant, which it would circulate to other committees for comment.

18. The Committee on Economic and Social Rights had been able to reduce its backlog of reports by holding two extraordinary sessions in 2000 and 2001 and revising its working methods. The Committee was reviewing its reporting guidelines with a view to streamlining the examination process. It had also adopted a statement on intellectual property and human rights in November 2001. In May 2002, the Committee had held a day of general discussion on article 3 of the Covenant in which two members of the Committee on the Elimination of Discrimination against Women participated. The Chairperson had also participated in a meeting of the Committee on the Elimination of Discrimination against Women on the same issue in January 2002; this was the first time a treaty body had formally consulted another during a session on a question relating to its own work. The Committee was currently preparing a general comment on the right to water, which it hoped to adopt in November 2002. Meetings with officials of the United Nations Educational, Scientific and Cultural Organization

(UNESCO) had resulted in a recommendation by the Executive Board of UNESCO to establish a joint expert group of the Committee and UNESCO to address issues of discrimination relating to the right to education. Members had also held informal consultations with officials of the Bretton Woods institutions with a view to establishing and building links. The Chairperson referred to an OHCHR project on integrating human rights into poverty reduction strategies, which the Committee had proposed to the High Commissioner in May 2001. At the most recent session, in May 2002, the first meeting had been held between the Committee and States parties; the results had been positive.

B. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

19. A member of the Secretariat presented an overview of the Conference and its follow-up to the chairpersons. Pursuant to General Assembly resolution 56/266 of 27 March 2002, an Anti-Discrimination Unit had been established within OHCHR, with the task of supporting follow-up to the Conference, and raising awareness of and mainstreaming the Conference outcomes in the work of OHCHR. Follow-up activities to the Conference include: the organization of two regional expert seminars (Mexico City and Nairobi) on implementing the Conference texts; two working groups proposed by the Commission on Human Rights (the Working Group on People of African Descent and the Intergovernmental Working Group to make recommendations to the follow-up to the Conference (resolution 2002/68)), and the request of the General Assembly in resolution 56/266 that a group of independent Eminent Experts be appointed to guide the implementation process.

20. The chairpersons outlined measures adopted by their respective committees in follow-up to the Conference. Follow-up measures had been adopted by the Committee on the Rights of the Child, Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women. A number of chairpersons noted that discrimination had always been an issue of relevance to all the committees, and the Conference was but a further specific initiative to which the treaty bodies were now required to devote their attention.

C. Human rights education

21. The Secretariat also made a presentation of the work of OHCHR on human rights education in the context of the United Nations Decade for Human Rights Education. The presentation focused on the aims of the Decade, the role and the programmes of OHCHR in the area (including the mid-term review of the Decade programme) and the role of the treaty bodies in contributing to the Decade. A report on the latter concluded that it was incumbent on the treaty bodies to emphasize the obligations of States parties in this area, particularly during the Decade. Treaty bodies could perform an important clearing-house role by sharing with Governments approaches and strategies that had proven successful elsewhere and by keeping OHCHR informed of those developments. For its part, OHCHR had facilitated information-sharing and lesson-learning among all relevant actors. Its approach was strategic, in the light of the limited resources available.

22. During the Chairperson's discussion of the work of OHCHR in human rights education, the following points were made:

(a) There was a need to address human rights education at the grass-roots level in order for it to be effective. The Secretariat noted that the work of OHCHR in this area was disseminated primarily through United Nations Development Programme (UNDP) field offices and that a number of programmes existed to facilitate this;

(b) Attention was drawn to the fact that human rights education was but one of a growing list of areas which treaty bodies were being expressly asked to take into account in their work;

(c) There was a wealth of information on human rights education initiatives provided in periodic reports, especially under the Committee on the Rights of the Child and the Committee on Economic and Social Rights;

(d) There was a need to focus on education for law enforcement officials and national human rights institutions;

(e) A coordination meeting should be organized by the end of the Decade with the participation of all intergovernmental organizations and involving the treaty bodies.

VI. Update on the status of the Annual Appeal 2002 and the 2002-2004 Programme to support Human Rights Organs and Treaty Bodies

23. A staff member of OHCHR presented an overview of the Annual Report and Annual Appeal, updating the information set out in document HRI/MC/2002/2. The principal change had been the transition by OHCHR from supporting treaty bodies on an ad hoc/project basis to a more permanent programme of support. It had been accepted that the needs of the treaty bodies would require extrabudgetary funding on a continuing basis. The main project component for 2002-2003 was to be follow-up, as it had been the least explored project component in years past and was expected to demand greater resources as the treaty bodies increasingly concentrated on follow-up.

24. The chairpersons raised the question of problems with the timely delivery of documentation. The representative of OHCHR noted that the General Assembly had imposed further budget cuts recently but OHCHR has instituted the Document Processing Unit to mitigate the effects of budget cuts by achieving efficiencies through streamlining the production process.

VII. Cooperation of human rights treaty bodies with the specialized agencies, United Nations departments, funds, programmes and mechanisms, and non-governmental organizations

25. On 25 June, the chairpersons met with representatives of the specialized agencies, United Nations departments, funds, programmes and mechanisms, and non-governmental organizations with a view to exploring ways in which the work of the various organizations could assist States parties in implementing the recommendations of the treaty bodies. A complete list of participants at the meeting is contained in section A of annex II to the present report.

26. The chairpersons agreed that there continued to be problems with the visibility of the work of the treaty bodies at the national level. However, the differing levels of engagement between different treaty bodies and international organizations and treaty bodies and NGOs, made it difficult to generalize about solutions. In respect of NGO participation, the chairpersons underlined the advisability of NGOs being involved in the reporting process as early as possible, either through providing information for the Government to use in the preparation of the report or in reviewing drafts of the report. While NGO information was crucial to the work of the treaty bodies, there was a need to adopt rules regulating the flow of that information. Such rules needed especially to be brought to the attention of smaller, nationally based NGOs. Finally, the chairpersons recognized that increasing NGO participation in the work of the treaty bodies was sometimes accompanied by increased suspicion and an adversarial attitude on the part of some Governments.

27. The representative of the Joint United Nations Programme on HIV/AIDS (UNAIDS) outlined the current state of the pandemic and the ways in which HIV/AIDS was inextricably linked to violations of human rights. She noted that the work of treaty bodies had a minimal focus on HIV/AIDS, with relatively few concluding observations on the issue. She recommended: encouraging States parties to provide more detailed information on HIV/AIDS; increasing dissemination of concluding observations in local languages to NGOs, national partners and United Nations agencies; increasing monitoring and investigation of human rights violations and work to increase awareness of the complaints procedures; organizing discussion days at the national level to increase understanding of the issues.

28. The representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) noted that the Office tried to provide as much information relating to refugees and asylum seekers as possible but that it must remain confidential. It had held a training seminar in May for UNHCR staff also involving members of treaty bodies and of the secretariat. The seminar would be repeated in other regions of the world. The Office attempted to distribute concluding observations to its field offices as soon as it received them and tried to inform OHCHR of actions taken by States parties in response to concluding observations.

29. The representative of the United Nations Population Fund (UNFPA) described the 2001 follow-

up meeting to the 1996 Glen Cove Round Table on Human Rights approaches to Women's Health. UNFPA was working closely with the Committee on the Elimination of Racial Discrimination and the Committee on Economic and Social Rights particularly in the area of indicators on reproductive and sexual health, and with the Committee on the Rights of the Child with regard to the general comment on HIV and adolescent health. She presented three areas for enhancing cooperation between UNFPA and the treaty bodies: developing means for including the recommendations of treaty bodies into national reporting on the millennium development goals; a mapping of the level of agency engagement with the various treaty bodies; and identifying responsibility for transmitting concluding observations to the national level and the possible role of UNFPA in identifying opportunities in development programming.

30. The representative of the World Health Organization (WHO) outlined the organization's involvement in the work of the treaty bodies, including involvement in the general comments of the Committee on Economic and Social Rights on the right to health and the right to water. Issues that needed to be raised included: at what stage should WHO be involved in the process, before the report left the country or at the treaty body level? And what was the value-added for WHO staff and resources?

31. The United Nations Children's Fund (UNICEF) was unable to be represented at the meeting but submitted a letter in which it pointed to closer cooperation with the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child as areas of priority. In its work with the latter, UNICEF called for closer cooperation between the Committee and UNICEF national offices in order to tailor the concluding observations to the country in question. Furthermore, recommendations should be achievable within five years rather than representing "wish-lists". Finally, there needed to be a focus on follow-up to recommendations between reports in order to maintain the enthusiasm and commitment of Governments.

32. Among the various fields of possible cooperation between UNDP and the treaty bodies, the representative of UNDP focused on the Millennium Declaration and the millennium development goals, with the monitoring of which UNDP was charged, insofar as they reaffirmed human rights norms and the scope of cooperation with the treaty bodies. Unfortunately, engagement had been sporadic to date and consideration needed to be given to the possible establishment of some mechanism for systematic involvement.

33. The representative of the International Labour Organization (ILO) outlined the regular input of the organization to the meetings of a number of treaty bodies. While ILO had its own supervisory bodies, its approach was to look thoroughly at the broader human rights context before descending to the specificity of labour rights. Concluding observations were sent to the ILO field offices and could have the effect of reinforcing recommendations of the ILO supervisory bodies. They were also featured in the training of judges and other public officials by ILO. From the treaty bodies ILO sought an approach to labour rights which was consistent with and, when appropriate, more explicitly refers to, the views of its supervisory bodies.

34. The representative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) outlined the close links between the mandate and programme of UNESCO and the work of the treaty bodies. He referred in particular to the organization's work in fighting discrimination and in the field of education.

35. The representative of the Food and Agriculture Organization of the United Nations briefly highlighted the mandate from paragraph 10 of the Declaration of the World Food Summit: Five Years Later for the establishment of an intergovernmental working group to develop guidelines on the right to food.

36. The Director of the Public Information Service in Geneva explained a new system of reporting on treaty body meetings under which: two press releases would be issued, one at the beginning and one at the end of each session, as a background press release and a round-up. For the daily meetings of each treaty body, meeting coverage releases would also be issued.

37. The representative of the Organization for Security and Cooperation in Europe outlined his organization's work in translating concluding observations into the languages of Eastern Europe, the Caucasus and Central Asia.

38. The following organizations also made statements: International Federation for Human Rights (FIDH), Amnesty International, International League

for Human Rights, World Organization against Torture (OMCT), and the NGO Group on the Convention on the Rights of the Child.

39. In response to the various statements, the chairpersons made the following points:

(a) International organizations were encouraged to increase their interaction with the treaty bodies, in particular those where little cooperation currently existed. To that end, they were encouraged to consider the links between their work and the mandates of the various committees;

(b) Increased involvement also led to a need for the treaty bodies to consider how they were to take into account all the issues referred to (e.g., World Conference against Racism; millennium development goals; World Summit on Sustainable Development);

(c) The agencies could also help the treaty bodies defend themselves against misinformation campaigns directed against them by publicizing the relevant facts.

VIII. Strengthening support for and enhancing the effectiveness of the treaty bodies

A. Cooperation with the Commission on Human Rights

40. On 24 June, the chairpersons held a joint meeting of the Expanded Bureau of the Commission on Human Rights at its fifty-eighth session, led by its Chairperson, Ambassador K. Jakubowski (Poland). The Chairperson introduced the members of the Expanded Bureau and their representatives attending the meeting: Vice-Chair Ambassador W. Lewalter (Germany), Mr. P. Rothen (Germany), Mr. M. Watanabe (Japan), Mr. I. Ferguson (Canada), Ms. D. Chatsis (Canada), Ms. V. Kos (Croatia) and Mr. E. Tistounet (Secretary of the Commission).

41. In his opening statement the Chairperson outlined the importance of the tri-polar relationship between the Commission, its special procedures and the treaty bodies as pillars of the international human rights system, noting the complementarity between the quasi-judicial nature of the treaty bodies and the political nature of the Commission. He alluded to proposals put forward at the fifty-eighth session to reduce the Commission's meeting time and perhaps abolish the review of country situations. If this were to come about, the role of the treaty bodies would grow enormously. He expressed the hope that communication between the Commission and the treaty bodies would grow alongside the increased year-round work of the Bureau.

42. The members of the Expanded Bureau shared the Chairperson's view that relations between the Commission and the treaty bodies were crucial to ensuring consistency and confidence in the international human rights system. At the least, all chairpersons of treaty bodies could be routinely invited to address the Commission, and the Commission could take into account the work of the treaty bodies in drafting its resolutions.

B. Cooperation with the Sub-Commission on the Promotion and Protection of Human Rights

43. The chairpersons met with Mr. D. Weissbrodt (United States of America) Chair of the Sub-Commission on the Promotion and Protection of Human Rights at its fifty-third session. In his statement Mr. Weissbrodt saw the principal link between the Sub-Commission and the treaty bodies as lying in the Sub-Commission's role of preparing studies on human rights issues and the possible use of these studies by the treaty bodies, referring to a previous resolution of the Sub-Commission requesting topics of research from the treaty bodies. Mr. Weissbrodt reiterated the Sub-Commission's willingness to undertake research on human rights issues for which the treaty bodies lacked the time and the expertise. the Committee on Economic and Social Rights had recently requested a study on discrimination in respect of economic, social and cultural rights.

44. Other work of the Sub-Commission of interest to the treaty bodies included the Social Forum held on 25 and 26 July 2002 and the guidelines adopted by the working group on transnational corporations.

C. Joint meeting with participants of the ninth meeting of special rapporteurs and representatives, experts and chairpersons of working groups of the special procedures system of the Commission on Human Rights and of the advisory services programme of OHCHR

45. The fourth joint meeting of the chairpersons of treaty bodies and the special procedures system of the Commission on Human Rights was held on 26 June 2002 and was co-chaired by Mr. E. Bernales Ballesteros (Special Rapporteur on mercenaries) and Ms. C. Abaka (Chairperson of the Committee on the Elimination of Discrimination against Women).

46. In her opening statement, the High Commissioner for Human Rights noted that the joint meeting was taking place on the International Day in Support of Victims of Torture. Taking victims of torture as the theme of her statement, the High Commissioner referred to the recent approval by the Commission on Human Rights of the draft Optional Protocol to the Convention against Torture as a significant step forward in the struggle against torture. As a sign of support for victims of torture, the High Commissioner invited the joint meeting to observe a moment's silence before commencing their deliberations.

47. The chairpersons outlined the various ways in which each of their committees cooperated with the special procedures, principally through the sharing of reports and other information, the participation of mandate-holders in committee meetings, and participation in days of general discussion. A number of chairpersons expressed satisfaction at the highly productive cooperation with a number of special procedures. While it was probably not feasible for the treaty bodies to fully interact with all the special procedures, the chairpersons requested that all mandate-holders consider the relevance of their mandate to the work of all the treaty bodies, particularly those with very broad mandates. In parallel, the meeting noted the practice of some treaty bodies of appointing some of their members as focal points to follow activities of relevant special procedures mandates. As far as possible, mechanisms promoting further cooperation between special procedures and the committees should be systematic rather than applying in an ad hoc manner.

48. The issue was raised of the availability of resources for increased cooperation. Some participants felt that, as there would never be sufficient resources to allow a wholly satisfactory level of interaction between the committees and special procedures, the joint meeting should explore innovative ways to cooperate, such as electronic sharing of information. Others felt that it was important to advocate for increased resources to facilitate cooperation, noting that face-to-face exchanges of views were generally more effective than the sharing of information and views by e-mail or other correspondence.

49. Both chairpersons and mandate-holders considered that a useful initiative would be the participation of mandate-holders in treaty body meetings during scheduled visits to Geneva or New York, with a view to sharing information.

50. A number of participants felt that a common approach to statements on specific issues at venues such as world conferences would add weight to the voice of special procedures on a given issue.

51. The participants underlined the usefulness of the joint meetings and a number requested that a full meeting be provided for future joint meetings. It was decided that the sole topic for discussion at the fifth joint meeting would be the phenomenon of globalization as it impacted upon the various mandates of the special procedures and treaty bodies.

IX. Informal consultation with States

52. On 25 June, the chairpersons held a consultation with States parties. A complete list of the States parties that attended the consultation is contained in annex III to the present report. Sixteen States made interventions.

53. At the outset, the Chairperson of the meeting noted the upcoming inter-committee meeting, which would discuss working methods of the treaty bodies. The consultation provided a good opportunity for States parties to provide their views on those matters.

54. Representatives of the States parties expressed their support and encouragement for the work of the treaty bodies, which they considered to be central to the international human rights system, and appreciation

for efforts to enhance the effectiveness of their work in past years. A large number of States suggested that separate meetings of each committee with its States parties should be held more regularly.

55. Several States raised the question of periodicity and the burden that would be imposed on States parties if they were required to submit reports too often. Treaty bodies should coordinate to ensure that no State was required to present more than two reports in a year. Some States felt that the requirement of one comprehensive report to all treaty bodies would ease the burden on both States and the committees. Similarly, there was support for the practice of a number of committees combining overdue reports into one report. The burden of reporting for small States should be recognized and addressed through technical assistance programmes.

56. As for the actual consideration of the reports, States parties regretted the lack of time for a truly constructive dialogue with the committees. In view of the short amount of time, all committees should provide lists of issues for discussion so that the discussion was as focused as possible. Similarly, documentation should be provided as early as possible to allow Governments to prepare responses. Some States advocated the creation of chambers in order to increase the number of reports considered at each session.

57. A number of States expressed concern at what they perceived to be the adversarial nature of many treaty body sessions. In addition, they felt that the information provided by NGOs should be checked for its veracity and probity. Concern was also expressed about the use of country rapporteurs and any attempts to conceal their identity. Several States favoured the practice of creating a country task force consisting of a number of members.

58. Several States and chairpersons expressed concern over misleading and incorrect reporting on treaty body meetings by the Director of the Public Information Service. It was suggested that, if feasible, all press releases and other press material should be provided to the treaty body and the State concerned for comment before release.

X. Other matters

59. The attention of the chairpersons was drawn to a seminar on identifying best practices in treaty body reporting mechanisms hosted by the Permanent Mission of Australia at the same time as their meeting. A number of opportunities for informal interaction between the chairpersons and participants of the seminar were made available.

XI. Recommendations

60. **The chairpersons recommended that one entire day be allocated to the informal consultation with States parties during its fifteenth meeting. A limited number of topics, selected from the wide range of issues raised during the consultation at its fourteenth meeting and during the first inter-committee meeting, are to be selected, in cooperation with the Secretariat, for greater in-depth discussion.**

61. **The inter-committee meeting should be held every two years, preferably for a period of three or four days, following the chairpersons meeting. The chairpersons meeting should be held during the customary period of five days. The second inter-committee meeting is to be held in 2004, provided that resources are available. The topic of the second inter-committee meeting and whether the meeting is to be public or private will be decided at the fifteenth meeting of chairpersons.**

62. **The chairpersons recommended that the chairpersons of all treaty bodies be sent formal invitations to attend the sessions of the Commission on Human Rights.**

63. **The chairpersons recommended that a limited number of substantive topics be selected for discussion at future meetings with United Nations departments, specialized agencies, funds, programmes and mechanisms, national human rights institutions and non-governmental organizations concerning the national-level implementation of treaty body recommendations.**

64. **The fourth joint meeting between the chairpersons of treaty bodies and special procedures mandate-holders agreed on the following recommendations:**

(a) Future joint meetings between the chairpersons of treaty bodies and special procedures mandate-holders should put more focus on thematic exchange and discussions between treaty bodies and special procedures;

(b) The fifth joint meeting in June 2003 should be dedicated to a joint discussion on globalization as it impacts upon the various mandates of the special procedures and treaty bodies;

(c) OHCHR should continue the periodic distribution, through the "list server", to all members of treaty bodies and special procedures mandate-holders of a list of planned country visits of special procedures mandate-holders, the schedule of the consideration of reports of States parties to the major human rights treaties, of other relevant information emanating from the treaty bodies and special procedures, as well as all other information of interest to treaty bodies and special procedures experts;

(d) The "list server" could be used as a network enabling direct communication and exchange of information between special procedures and treaty body experts.

65. **The chairpersons discussed the importance of interaction with the special procedures of the Commission on Human Rights and recommended that OHCHR explore ways of financially supporting the presence of special procedures mandate-holders at treaty body sessions and other opportunities for dialogue.**

66. **The chairpersons felt a need for closer cooperation with the Sub-Commission on the Promotion and Protection of Human Rights, including the possibility of treaty bodies proposing to the Sub-Commission topics within their respective mandates, which would benefit from in-depth research.**

Annex I

Agenda of the fourteenth meeting of chairpersons

(adopted on 24 June 2002)

1. Opening of the meeting: High Commissioner; election of officers.
2. Adoption of the agenda.
3. Organizational and other matters.
4. Follow-up to the recommendations of the thirteenth meeting.
5. Review of recent developments relating to the work of the treaty bodies.
6. Update on the status of the Annual Appeal 2002, and the 2002-2004 Programme to Support Human Rights and Treaty Bodies.
7. Strengthening support to and enhancing the effectiveness of the treaty bodies:
   (a) Cooperation with the Commission on Human Rights (meeting with the Expanded Bureau);
   (b) Cooperation with the Sub-Commission (meeting with the Chairperson).
8. National-level implementation of treaty body recommendations (meeting with United Nations agencies, NGOs, regional organizations).
9. Informal consultation with States on methods of work of the treaty bodies.
10. Joint meeting with the ninth meeting of special rapporteurs/representatives.
11. Adoption of the report and selection of the date for the fifteenth meeting.

Annex II

Participants in the fourteenth meeting of chairpersons

A. States parties

(meeting with States parties on 25 June 2002)

Algeria
Mr. Nor-Eddine Benfreha, Counsellor

Argentina
Mr. Sergio Cerda, Counsellor

Australia
Mr. Michael Smith, Ambassador and Permanent Representative
Ms. Amanda Gorely, Deputy Permanent Representative
Mr. Geoff Raby, Department of Foreign Affairs and Trade, Canberra
Mr. Bill Campbell, Attorney General's Department Canberra

Azerbaijan
Mr. Ismayil Asadov, Third Secretary

Bahrain
Mr. Ali al Aradi, Third Secretary

Belarus
Ms. Ina Vasilevskaya, First Secretary

Belgium
Mr Léopold Merckx, Deputy Permanent Representative

Brazil
Mr. Frederico Meyer, Minister Counsellor
Mr. Alexandre Ghisleni, Second Secretary

Burundi
Ms. Justine Bihotori, First Counsellor

Canada
Ms. Susan Gregson, Department of Foreign Affairs and International Trade, Ottawa
Ms. Deborah Chatsis, First Secretary

Chile
Mr. Patricio Utreras, First Secretary

China
Mr Hu Bin, Second Secretary

Colombia
Ms. Ana Maria Prieto, Minister Counsellor

Costa Rica
Mr. Alejandro Solano, Minister Counsellor

Cuba
Mr. Jorge Ferrer, Counsellor

Czech Republic
Ms. Ivana Schellongová, Second Secretary

Denmark
Ms. Christel Jepsen, Second Secretary

Dominican Republic
Mr. Roman Ysset, Minister Counsellor

Egypt
Mr. Khaled Galal, Counsellor
Mr. Mohammed Loutfy, Third Secretary

Estonia
Ms. Merike Kokajev, First Secretary

Finland
Mr. Marcus Laurent, Ministry for Foreign Affairs, Helsinki
Paivi Rotola-Pukkila, Minstry of Foreign Affairs, Helsinki
Mr. Erik af Hällström, First Secretary

France
Ms. Virginie Bahnik, Second Secretary

Germany
Ms. Brita Wagener, Federal Minstry of Foreign Affairs, Berlin

Ghana
S. J. K. Parker Allotey, Deputy Permanent Representative

Greece
Ms. Ioanna Magganara, First Secretary, Minister Counsellor

Guatemala
Ms. Stephanie Hochstetter, First Secretary

Holy See
Mr. Diarmuid Martin, Permanent Observer

Hungary
Mr. Attila Nyikos, Second Secretary

India
Anurag Srivastava, Third Secretary

Israel
Ms. Teizu Guluma, Adviser

Italy
Mr. Giuseppe Calvetta, Counsellor

Japan
Mr. Takashi Shibuya, First Secretary
Mr. Tamaki Tsukada, First Secretary

Latvia
Mr. Raimonds Jansons, Counsellor

Lebanon
Mr. Johnny Ibrahim, First Secretary

Libyan Arab Jamahiriya
Ms. Najat Al-Hajjaji, Ambassador and Permanent Representative

Lithuania
Ms. Ilona Petrikienė, Second Secretary

Mexico
Ms. Elia Sosa Nishizaki, Second Secretary

Monaco
Ms. Anne Medecin

Myanmar
Ms. Aye Aye Mu, Counsellor

Nepal
Mr. Nabin Shrestha, Minister Counsellor

Netherlands
Mr. Henk Cor van der Kwast, Counsellor

New Zealand
Mr. Ian Hill, Ministry of Foreign Affairs, Wellington

Nicaragua
Mr. Nestór Cruz, First Secretary

Nigeria
Mr. Mike Gbadebo Omotosho, Minister-Counsellor

Panama
Mr. Tomás Guardia, Alternative Permanent Representative

Paraguay
Francisco Barreiro, First Secretary

Peru
Mr. Juan Pablo Vegas, First Secretary

Poland
Mr. Jerzy Ciechanski, Counsellor

Russian Federation
Mr. Sergey Chumarev, Second Secretary
Mr. Alexei Akzhigitov, Third Secretary
Mr. Alexei Vlasov, Third Secretary

Slovakia
Ms. Barbara Illicova, Counsellor

Spain
Mr. Marcos Gomez, Counsellor

Sri Lanka
Mr. Sumedha Ekanayake, Second Secretary

Sweden
Ms. Christine Lundberg, First Secretary

Swiss Confederation
Mr. Christoph Spenlé, Department of Foreign Affairs, Berne
Mr. Jean-Daniel Vigny, Minister

Thailand
Ms. Phantipha Iamsudha, First Secretary

Tunisia
Ms. Holla Bachtobji, Counsellor

Turkey
Mr. Tolga Kaya, Second Secretary

United Kingdom of Great Britain and Northern Ireland
Mr. Bob Last, Human Rights Attaché

United States of America
Mr. André Suréna, Assistant Legal Advisor
Mr. Joël Danies, First Secretary

Yugoslavia
Ms. Suzana Boskovic-Prodanovic, Attaché

Zambia
Ms. Encyla Sinjela, First Secretary

B. United Nations departments, specialized agencies, funds and programmes

Ms. Jane Connors; United Nations Division for the Advancement of Women

Ms. Marie Heuzé; United Nations Information Service in Geneva

Ms. Miriam Maluwa; Joint United Nations Programme on HIV/AIDS (UNAIDS)

Ms. Amanda Glover; UNAIDS

Ms. Seline Murat; United Nations Development Programme (UNDP)

Mr. Simon Munzo; UNDP

Ms. Inger Ultvedi; UNDP

Mr. Patrick van Weerelt; UNDP

Ms. Ana Angarita; United Nations Population Fund (UNFPA)

Mr. Alejandro Cedeño; Office of the United Nations High Commissioner for Refugees (UNHCR)

Mr. Vladimir Volodin; United Nations Educational, Scientific and Cultural Organization (UNESCO)

Mr. Martin Oelz; International Labour Organization (ILO)

Ms. Jenny Cook; World Health Organization (WHO)

Ms. Constance Thomas; International Labour Organization (ILO)

C. Intergovernmental organizations

Mr. Donald Bisson; Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights

D. Other international bodies

Ms. Jelena Pejic; International Committee of the Red Cross (ICRC)

E. Non-governmental organizations

Mr. Yuka Ebiawa; Association for the Prevention of Torture (APT)

Mr. Kimiko Kondo; Quaker UN office

Ms. Laura Theytaz-Bergman; NGO Group for the Convention on the Rights of the Child

Ms. Ankie Flores; Anti-Racism Information Service (ARIS)

Ms. Catherine Turner; Amnesty International

Ms. Atsuko Tanaka; International Movement Against all Forms of Discrimination and Racism (IMADR)

Mr. Pia Drezewinki; IMADR

Mr. Antoine Madelin; Fédération internationale des ligues des droits de l'Homme (FIDH)

Mr. Alexei Korotaev; International League of Human Rights (ILHR)

Ms. Christy Fisher; International Service for Human Rights (ISHR)

Ms. Patricia Prentice; ISHR